

EXTENDING MOST-FAVORED-NATION TREATMENT TO BULGARIA

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1643.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. CRANE] that the House suspend the rules and pass the bill, H.R. 1643.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SIKES ACT IMPROVEMENT AMENDMENTS OF 1995

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1141, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska [Mr. YOUNG] that the House suspend the rules and pass the bill, H.R. 1141, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COLORADO BASIN SALINITY CONTROL ACT AMENDMENTS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 523.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the Senate bill, S. 523.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 170 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1868.

□ 1228

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on the legislative day of Wednesday, June 28, 1995, the bill was considered read through page 78, line 9.

Pursuant to House Resolution 177, further consideration of the bill for amendment shall proceed without intervening motion except the amendments printed in House Report 104-167. Those amendments may be considered only in the order printed in the report, by a Member designated in the report, are considered read, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of today, each amendment shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent of the amendment.

The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment.

The Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

□ 1230

It is now in order to consider amendment No. 1 printed in House Report 104-167.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL: Page 63, after line 4, insert the following new section:

SEC. 540A. RESTRICTIONS ON THE TERMINATION OF SANCTIONS AGAINST SERBIA AND MONTENEGRO.

(a) RESTRICTIONS.—Notwithstanding any other provision of law, no sanction, prohibition, or requirement described in section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160), with respect to Serbia or Montenegro, may cease to be effective, unless—

(1) the President first submits to the Congress a certification described in subsection (b); and

(2) the requirements of section 1511 of that Act are met.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) there is substantial progress toward—

(A) the realization of a separate identity for Kosova and the right of the people of Kosova to govern themselves; or

(B) the creation of an international protectorate for Kosova;

(2) there is substantial improvement in the human rights situation in Kosova;

(3) international human rights observers are allowed to return to Kosova; and

(4) the elected government of Kosova is permitted to meet and carry out its legitimate mandate as elected representatives of the people of Kosova.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York [Mr. ENGEL] and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for too long ethnic Albanian citizens of Kosova, who comprise 90 percent of the province's population, have been dominated and repressed by Serbia. Today I rise to offer an amendment which will demonstrate support for Kosova and serve America's interests by helping prevent a regional spreading of the Balkan conflict.

The people of Kosova voted overwhelmingly for the independence of their state in September of 1990 and chose Ibrahim Rigova, a professor of literature, who recently met with Secretary of State Christopher, to be the first President of the newly declared republic. Serbia, however, has not seen fit to recognize these valid and legitimate acts of self-determination. Belgrade has prevented the new government from meeting in the capital of Pristina and strictly from meeting in the capital of Pristina and strictly controls the media and all speech.

The human rights situation in Kosova is grave and worsened with the July 1993 expulsion of international monitors according to Amnesty International and Human Rights Watch. Ethnic Albanians are denied access to education, health care, and legal process solely on the basis of their ethnicity.

I might say, by the way, Mr. Chairman, that with the events happening in Bosnia, we can say that those events will look like a tea party compared to what might happen in Kosova if Belgrade gets its way.

The security situation in Kosova is also very troubling. If Serbia escalates its aggressive behavior in Kosova the Balkan conflict may expand into Macedonia, drawing in Albania, Bulgaria, Greece, and possibly Turkey. I support statements by the U.S. Government threatening a stern American response "in the event of conflict in Kosova caused by Serbian action."

In recent months, however, negotiations with Serbia have progressed to the point where the international community has offered to ease sanctions against Belgrade if it recognize Bosnia. While this policy may produce some positive results in Bosnia, it will turn over all leverage we have on Kosova.

I fully agree with President Clinton when, on January 4 of this year, he wrote to the gentlewoman from New

York [Ms. MOLINARI] and myself and said, "There are a large number of issues, including Kosovo, that must be addressed before Belgrade should be freed of U.N. sanctions."

The amendment I offer today would condition the lifting of sanctions against Serbia upon improvement in human rights in Kosovo. Until Milosevic, the leader of Serbia, gives Kosovo the right to self-determination, ends human rights violations, allows international monitors to return, and permits the elected government of Kosovo to carry out its mandate as representatives of the people of Kosovo, we should not lift sanctions on Belgrade. Considering the intensified persecution of the ethnic Albanian majority in Kosovo, I strongly believe that sanctions should remain in place until the situation in Kosovo improves. I urge Members to support this important amendment.

I might say that the gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations, is fully in support of this amendment. It has very deep bipartisan support.

Let me finally add, in view of the actions of the Serbs in Bosnia today which led to U.N. and NATO air strikes on them, is it any wonder that they continue to thumb their nose at the world and continue to think they can slide away from the international sanctions that have been imposed on them? We must not let this happen. I urge my colleagues to support this amendment.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for yielding. I appreciate him allowing me to intervene at this time.

Mr. Chairman, I rise in very strong support of the gentleman's amendment. I have been to Kosovo and Pristina, the capital. I have talked to the Serbian leadership in Kosovo. They have no appreciation for human rights and no appreciation of the individuals there who have a right to practice their own religion, pursue their own culture, use their language of choice, and to enjoy the human rights which are guaranteed by the Helsinki final act.

I congratulate the gentleman from New York for this amendment, which is critical. Frankly, the Milosevic regime is a regime which has been assessed to be a criminal regime by our former Deputy Secretary of State, Larry Eagleburger. I think he was correct.

Kosovo is a specific example of where the Milosevic government in Belgrade tramples upon the rights that they are pledged to protect under the Helsinki final act. We ought not to consider lifting sanctions. We ought not to consider making the Milosevic regime's life one whit better without the human rights situation in Kosovo very, very substantially improving.

The CHAIRMAN. Is the gentleman from Alabama opposed to the amendment?

Mr. CALLAHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama [Mr. CALLAHAN] will be recognized for 15 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the amendment. I rise in opposition more to the amendment than to the philosophy.

If this Congress is going to micromanage the executive branch of government with respect to foreign affairs, I think it is a tremendous mistake. The Constitution very clearly gives the authority and the responsibility for foreign affairs to the administrative branch of government. Congress has the right to provide or deny funds.

It seems that every time a Member of Congress, and certainly this is no reflection upon the gentleman from New York, but every time a Member of Congress travels to some foreign nation, they come back with an adopted country and they start trying to demand through legislation the direction that they want the administration to work. I think it grossly interferes with the ability of the administration to have an effective foreign policy.

I am at a distinct disadvantage on Kosovo. I have never been to Kosovo. I do not even know exactly where Kosovo is. I know it is somewhere over near Bosnia and I know it is somewhere in the former Yugoslavia, but nevertheless I am not familiar with it.

I do not deny that there are human rights abuses there. I do not deny that we ought to be concerned about that, but I am concerned about the fact that we in Congress are beginning to be 435 little Under Secretaries of State traveling all over the world and coming back and telling the administration that you cannot do this, you should not do that.

So I am sure that the gentleman from New York [Mr. ENGEL] is very sincere in his desire to improve human rights situations in Kosovo and I respect that. And I certainly want human rights protected all over the world. I want them protected here in the United States of America.

Mr. Chairman, I am opposed to it, because the administration has contacted me this morning. The Assistant Secretary of State told me that this amendment will seriously interfere with the ability of the administration to have an effective solution to the problems in Bosnia.

I have to respect the administration's decision in opposing the amendment, while at the same time respecting the gentleman's concerns about human rights violations in Kosovo.

Mr. Chairman, I reserve the balance of my time, but still in opposition to the Engel amendment.

Mr. ENGEL. Mr. Chairman, I yield myself 30 seconds to answer the gentleman from Alabama [Mr. CALLAHAN].

The administration has also lobbied this Congress against lifting the arms embargo and this Congress has voted overwhelmingly on a couple of occasions to lift the arms embargo.

I do not think that the administration is proposing effective solutions at all in this area and I think it behooves us in Congress to state very, very strongly that we will not stand for human rights abuses in this part of the world. Perhaps if we had been showing a little gumption over the past few years, the Serbs would not be acting the way they are acting in the Balkans.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. OLVER].

Mr. OLVER. Mr. Chairman, I thank the gentleman from New York for yielding me the time.

Mr. Chairman, this is a mild and a bipartisan amendment that I do support. It provides a little bit of protection to Kosovo. If you wonder why is it that Kosovo needs protection, what is the risk for Kosovo? All you need do is remember Bosnia. Remember that Serbia, the last communist dictatorship in Europe, will stop at nothing in pursuit of their goal of a greater Serbia.

Remember the ethnic cleansing and slaughter of whole families in Bosnia. Remember the elected Vice President of Bosnia dragged from a U.N. vehicle and summarily shot by the Serbs. Remember U.N. resolutions for safe areas unenforced by the U.N., ignored by the Serbs.

As we speak here today, one of those safe areas, Srebrenica, is under attack. Remember the old man recovering in a hospital bed from surgery in Sarajevo who was shot by a Serb sniper. Remember the funeral processions that were bombarded; the school yard full of 10- and 11-year-olds playing soccer, bombarded by the Serbs.

Remember the women and children standing in water lines because the water had been cut off to Sarajevo. Remember the bombardments of those water lines.

When the U.N. accepts its humiliation in Bosnia at the orchestration of Milosevic, the last communist dictator in Europe, then it will be Kosovo's turn. Because the Serbs, under Milosevic in Serbia, will stop at nothing to achieve Greater Serbia.

Mr. Chairman, the amendment that we have before us will not make it easier for Serbia to strangle Kosovo, but it is a start by making certain that those sanctions are not lifted too early in the process. So I hope very much that this amendment will be adopted.

Mr. CALLAHAN. Mr. Chairman, I do not think we have any more speakers, because probably 90 percent of the Congress does not know where Kosovo is. But, nevertheless, I do stand by my philosophy; that I think it is a very serious mistake for this Congress, or any Congress, to interfere this way in the ability of the administration to have a foreign policy.

I think that the President has selected Warren Christopher to be the Secretary of State, and I do not think we need pseudo—Secretaries of State trying to dictate policy. Although I still respect what the gentleman from New York [Mr. ENGEL] is saying with regard to his concerns for human rights, I still oppose the amendment.

Mr. Chairman, I insert the following for the RECORD:

U.S. DEPARTMENT OF STATE,
Washington DC, July 11, 1995.

Hon. SONNY CALLAHAN,
Chairman, Subcommittee on Foreign Operations, Committee on Appropriations, House of Representatives.

DEAR MR. CHAIRMAN: As the House continues its deliberations on H.R. 1868, the Foreign Operations, Export Financing and Related Programs Appropriations Bill for FY 1996, I wanted to provide you with the Department's views on the four amendments that may be offered during floor consideration and seek your support in defeating them.

While the Administration supports the goals of the Kosovo amendment, we believe its effects would be counterproductive to our efforts to achieve a regional peace settlement in the former Yugoslavia, which offers the best hope for protecting the rights of Kosovar Albanians.

It is already U.S. and Contact Group policy that some sanctions on Belgrade should remain in place until the autonomy of Kosovo is restored. However, making Kosovo the linchpin for any easing of the embargo would seriously undermine the President's ability to negotiate a regional settlement in Bosnia. Current diplomatic efforts, for example, center on the possibility of limited sanctions suspension in exchange for key Serbian concessions in recognizing Bosnia and improving the border monitoring regime.

At the same time, we are concerned that this new provision could bar the democracy promotion program in Serbia that many in Congress have been encouraging us to expand. Programs such as recent U.S. efforts to establish a democracy commission in Serbia provide an important counterweight to reactionary, anti-democratic forces that are responsible for so much of the current tragedy in the former Yugoslavia.

We object as to the amendment that would cut off assistance to Ethiopia if the government there has not made progress on human rights. In the last year, the Government of Ethiopia took a number of steps to improve its human rights practices. Procedurally fair elections were held. Several thousands persons detained without charge were released and the camps in which they were confined were closed. The concept of respect for the rule of law is gaining acceptance, and open and procedurally fair trials have begun for defendants charged with committing crimes against humanity during the Mengistu regime. Terminating aid would undercut our ability to encourage further human rights progress and would penalize ordinary Ethiopians, who are among the world's poorest people. Of \$153 million in U.S. aid provided in FY 1994, \$120 million was food aid, which was crucial in feeding approximately 2.5 million Ethiopians.

We also object to the amendment that would prohibit aid to the Government of Kenya because it denies its citizens the right to free and fair elections. While we share Congress' concern about Kenya's human rights record, much of our assistance is directed to projects to improve Kenya's human rights performance, including its electoral practices. Passage of this amendment would

undercut our efforts to build democratic institutions and promote good governance. This amendment would undercut our efforts to build democratic institutions and promote good governance. This amendment would also adversely affect our ability to use International Military Education and Training (IMET) funds to train the Kenyan military, an apolitical force that has not been implicated in human rights abuses.

Finally, we oppose the amendment that would prohibit the availability of funds provided in the bill for the salaries and expenses of personnel implementing the Migration and Refugee Assistance Act (MRA). While the Department agrees that none of the funds appropriated for refugees should be spent on population activities, our budget request for FY 1996 proposed consolidating program funding and administrative costs into one account in an effort to simplify the management of the Bureau of Population, Refugees and Migration (PRM). An added benefit would be a reduction of Appropriations Committee oversight responsibility to one rather than two subcommittees. This amendment would divide oversight responsibility and would have the effect of cutting funding for the State Department's already strained operations by another \$12 million, as PRM's administrative expenses would be borne by the Department's Salaries and Expenses account.

Thank you for considering the views we have outlined above. We look forward to continuing to work with you and your colleagues to achieve the passage of a bill which garners wide bipartisan support.

Sincerely,

WENDY R. SHERMAN,
Assistant Secretary, Legislative Affairs.

Mr. Chairman, I yield back the balance of my time.

Mr. ENGEL. Mr. Chairman, may I inquire how much time I have remaining?

The CHAIRMAN. The gentleman from New York [Mr. ENGEL] has 8 minutes remaining.

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say most respectfully to my friend, the gentleman from Alabama [Mr. CALLAHAN], that this bill which we have previously debated all night long contains many statements in policy, which we in Congress have seen fit to put in, involving human rights violations all over the world. And, certainly, when we talk about human rights violations all over the world, Kosova ranks up there, unfortunately, with the best, or should I say with the worst.

On a trip to Kosova a couple of years ago with my colleagues, the gentleman from New York [Mr. KING], the gentlewoman from New York [Ms. MOLINARI], and the gentleman from New York [Mr. PAXON], we were all appalled at what we saw. Truly, people under occupation. And it is certainly something I think that we cannot turn a blind eye to, particularly when we are making statements throughout this bill on human rights violations all over the world.

Mr. Chairman, I might also add that we have had extensive hearings on Kosova in the Committee on International Relations, previously the Foreign Affairs Committee. We have had

witness after witness from the administration tell us that they would not lift sanctions on the Belgrade regime until the human rights situation in Kosova improved.

Yet, we see a slipping back of those solemn promises made by Secretary of State Christopher and other administration officials. So I think it is very, very important at this point in time that we stand up very, very strongly, as this Congress has on this bill in many other places all around the world, and say that the United States is not going to stand for human rights violations.

□ 1245

We have witnessed the tragedy in Bosnia. We have witnessed what happens when aggression goes unchecked. We have witnessed what happens when the world turns a blind eye.

We do not want it to happen in Kosova. There are 2 million ethnic Albanians living in Kosova. They have been denied the basic principles of freedom. They do not have schools. They cannot speak their own language. They cannot do what they need to do.

People are summarily fired because they are Albanian, and there are elements in the Serbian regime that would like nothing more than to drive a million or a million and a half ethnic Albanians out of Kosova, out of the border into Albania or over the border into Macedonia and again making what happens in Bosnia look like a tea party by comparison.

I urge my colleagues to stand up. Again, the chairman of the committee, the gentleman from New York [Mr. GILMAN] is in full support of this amendment. This amendment mirrors legislation that he has, the chairman of the committee, the gentleman from New York [Mr. GILMAN], has submitted this year; the gentlewoman from New York [Ms. MOLINARI], my colleague, and I for many years have cosponsored such legislation; and other members of the committee such as the gentleman from New Jersey [Mr. SMITH] and the gentleman from California [Mr. ROHRBACHER] and the gentleman from Virginia [Mr. MORAN] have all supported this.

Mr. Chairman, I yield such time as she may consume to my colleague and friend, the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. I thank the gentleman for leading the charge here today, and certainly historically, toward the betterment of the quality of life and the sanctity of life and doing all he possibly can to restore some semblance of sanity in the area called Kosova. A time when most people prefer to turn a blind eye, the gentleman from New York [Mr. ENGEL], has really been a leader in human rights in that area of the country, and I am extremely grateful.

Mr. Chairman, while the Balkan spotlight is focused on Bosnia today, a

tragedy of immense proportions is happening just 120 miles southeast of Sarajevo in the Republica of Kosova.

The amendment which we offer today will address what is an urgent crisis. Serbian police terrorism, directed at the 92-percent Albanian majority in Kosova, has been skyrocketing. The Prishtina-based Council for the Defense of Human Rights and Freedoms, reported last week that during June alone 918 Albanians in Kosova were subjected to various forms of Serbian repression. Some 384 were arrested, 87 had their homes raided, 379 were subjected to arms searches, 243 were beaten with 9 requiring medical treatment after having been tortured, 62 were detained, 210 were summoned for police interrogation, all in 1 month.

Complete abrogation of human, civil, and national rights of the 2 million Albanians in Kosova have been perpetrated by the Serbs since 1989. How much longer can the Albanians live under the most brutal, diabolical form of marshal law? It started in Croatia, Mr. Chairman, it moved to Bosnia, and unless this Congress and the United States and maybe, pray God, someday the United Nations rises up against Serbian aggression in this area of the world, Kosova will be next, and we do not know where it goes from there.

Today we have an opportunity to make a very important statement against the communist Serbs that have terrorized so many innocents in that area once called the former Yugoslavia. It is happening also in Kosova. They have no friends, they have no one watching. Today we send a message that as Americans we care and we will do all that we can in this democracy to make sure that some day they may live free also.

Mr. Chairman, I urge reply colleagues to join me in supporting this important amendment which at the very least will send a strong message to the Milosevic regime: Stop the siege of Kosova.

I thank the gentleman again for leading this all important effort.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Chairman, I would like to compliment my colleague, the gentleman from New York on the leadership he has provided on this issue, but also on human rights issues across the spectrum.

The fact is this is an issue that should unite Republicans and Democrats and does to the degree that Republicans and Democrats in this body are aware of the human rights abuses that are going on in this world.

What we are saying today is that we recognize that the Serbian oppression in Kosova is unacceptable and that we see what is going on and that we will view further human rights violations of these people as not only just a slap in the face of the Congress but an attack on the basic values of the American people. We represent, yes, the interests

of the United States, but also the values of the United States, and we are demanding today by this resolution that the Serbian regime recognize it is dealing with people who have rights in Kosova and that they refrain from the terrible violations and the repression that has been going on with these people.

If we do not send this message, the people there will pay a horrible price, and we are on the people's side, not the repressors' side.

The CHAIRMAN. The gentleman from New York has 1 minute remaining.

Mr. ENGEL. Mr. Chairman, would it be possible to ask unanimous consent for an additional 1 minute? We have two colleagues here that would like to speak. I would like to give them each 1 minute.

The CHAIRMAN. It would be imperative that both sides have additional time.

Mr. CALLAHAN. What was the gentleman's request?

Mr. ENGEL. I would ask for an additional minute. We have two Members who would like to speak for 1 minute each, and I only have 1 minute.

Mr. CALLAHAN. I would like to remind the gentleman we have already extended debate time 10 minutes at your request, but we have got to move on with this. We have other bills.

Mr. ENGEL. Would the gentleman be able to yield an extra minute? We had a vote in the Committee on International Relations.

Mr. CALLAHAN. I have already yielded back my time. I will not object to 1 additional minute, but we are not going to continue this on. I promised the Committee on Rules if they would not object to my unanimous-consent request to extend your time limitation, that we would move through this expeditiously, so I gave up all of my time, and now, I will not object to the 1 additional minute.

The CHAIRMAN. Without objection, both sides are given 1 additional minute.

There was no objection.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague on the Committee on International Relations, the gentleman from New York [Mr. ENGEL].

It would require the retention of sanctions currently imposed against Serbia until the Serbian Government implements specific improvements in the human rights situation in Kosova. The amendment implements the Kosova Peace, Democracy and Human Rights Act of 1995, which was introduced by the gentleman from New York [Mr. GILMAN], cosponsored by the gentleman from New York [Mr. ENGEL] and myself, among others.

The amendment recognizes the people of Kosova are a captive nation. These ethnic Albanians, who take great pride in their own history, language, and culture, have been forced to submit to a foreign rule, first by great power politics and then by a communist tyranny.

The amendment also recognizes the harsh conditions, and we have had hearings on the Helsinki Commission on this, Mr. Chairman, and it is very, very, very harsh, and they have been imposed by the Serb state.

It further recognizes that until basic justice is done, Kosova will always be a place not only of oppression but also of potential conflict.

Finally, the Engel amendment recognizes the potential of the Kosova conflict to affect relations among a large number of states, including not only Serbia but also Albania, Macedonia, Bulgaria, Turkey.

It is a good amendment. I hope the body will accept it.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from New York.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I just wanted to rise in support of the gentleman's amendment. I think it is long overdue that we take a strong stand and not lift the sanctions of Serbia until human rights in Kosova improve.

I support the amendment proposed by the gentleman from New York, [Mr. ENGEL], whom I wish to commend for his initiative. This amendment essentially mirrors language contained in H.R. 1360 which I introduced earlier this year. Ordinarily, I would oppose such a measure being attached to an appropriations bill, but I am convinced that the situation in Kosova is an extraordinary case, and requires urgent action by this body in order to ensure that in the fast-breaking events of the Balkan crisis we do not overlook the suffering of the Kosovar population.

Adoption of this amendment will help ameliorate in an important way an apparent gap in United States policy concerning the conflict in the former Yugoslavia. It will require the administration to be mindful of the deplorable situation in Kosova whose people have had their political and cultural identity brutally stripped from them by Serbian overlords. The amendment establishes a specific set of conditions aimed at restoring the political autonomy enjoyed by the people of Kosova prior to 1989. It requires the President to certify to Congress that the conditions have been met prior to the relaxation by our Government of all the U.N. economic sanctions imposed upon Serbia.

Regrettably, it has become necessary to consider this amendment at this time because the administration, while it has focused on the debacle in Bosnia, forgets that the situation in Kosova needs to be redressed before a true and just peace can be restored to the former Yugoslavia. That conflict springs from complex roots and sources, but we should not forget that the current campaign of ethnic cleansing by Serbia began in Kosova. Until the people of Kosova are again able to exercise their political, cultural and social rights, as they had

when Serbia recognized the autonomous status of Kosova prior to 1989, there can be no lasting peace in the Balkans.

Accordingly, I urge my colleagues to support this amendment, and send a strong signal that the Congress has not forgotten Kosova and its long-suffering people.

Mr. ENGEL. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. I thank my friend from New York and my friend from New Jersey.

I was recently in Kosova. It is an unbelievable situation. There are 60,000 paramilitary people, military officers, policemen, who are controlling 2 million Albanian Kosovans. They are controlling them in the most brutal way possible, with constant murders, beatings, rapes, wholesale thefts of property.

In fact, when President Milosevic of Serbia, who represents only 5 percent of the population, forced the withdrawal of the CSCE human rights monitors in July 1993, the incidents of beatings, rapes, and murders has gone up by 85 percent.

We went to the office that documented all of these atrocious, indescribable, brutal acts, and, you know, the police had just been there, had beaten up the staff, had stolen all the documentation. The lawyer who attempted to intervene to complain, he was visited at his apartment and bludgeoned on the head for it.

This has to change. I support the amendment very strongly.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2, printed in House Report 104-167.

AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE: Page 78, after line 6, insert the following new section:

SEC. 564. None of the funds appropriated in this Act may be made available to the Government of Ethiopia if it is made known to the State Department that during fiscal year 1996 the Ethiopian government has not made progress on human rights.

MODIFICATION OF AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I ask unanimous consent that my amendment be modified.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Amendment, as modified, offered by Ms. JACKSON-LEE: Page 78, after line 6, insert the following new section:

SEC. 564. The Department of State should closely monitor and take into account human rights progress in Ethiopia as it obli-

gates fiscal year 1996 funds for Ethiopia appropriated in this act.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas [Ms. JACKSON-LEE], and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentleman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I yield myself such time as I may consume.

Let me first of all, Mr. Chairman, thank the gentleman from Alabama [Mr. CALLAHAN] and the gentleman from Texas [Mr. WILSON] for the very cooperative spirit on the trend and direction of this amendment.

Let me also acknowledge the gentleman from Georgia [Mr. KINGSTON] and the chairman of the Subcommittee on Africa for their cooperation and the spirit of support that they have given the direction of this amendment.

Likewise, I want to acknowledge the task force work that included Mr. PAYNE and Mr. HASTINGS and the gentleman from Georgia, Mr. KINGSTON, in working with the country of Ethiopia.

For a moment let me share some background on this matter and on my concern. Certainly, I pay great tribute to a Congressperson who served in this great body and, in fact, gave his life for his concern about humanitarian needs in Ethiopia, and that is the Hon. Congressman Mickey Leland, who served the 18th Congressional District in Texas in the 1980's. His concern was that of freedom and justice, and certainly it was a concern for those who could not speak for themselves. And he repeatedly went back to the nation of Ethiopia to provide food for the children, but at the same time he wanted to extend to them his arm of help but also the understanding of the freedoms and democracy of this Nation.

Mr. Chairman, I rise to offer an amendment that strives to improve the conditions in this poverty-stricken land. It is, yes, to applaud the progress that has been made, but it is to acknowledge that we do have a moral commitment in this Nation to be able to join in with our allies and our friends and to encourage them to move toward human rights progress.

Let me also applaud Assistant Secretary of State for Africa, George Moose, for he has worked vigorously with Ethiopia, along with Ambassador Hicks, and the emphasis that we had in discussing this amendment was to emphasize we wanted to have the country of Ethiopia move forward, to improve its stand greatly after the massive periods of starvation and civil war.

There is much more to be done, Mr. Chairman, and my amendment proposes to encourage the government of Ethiopia, throughout the State Department, to continue its progress toward human rights for the citizens of Ethiopia.

This amendment is the best of all worlds. It moves Ethiopia along toward a path of self-sufficiency and a period of fairness for all of its citizens. Ethiopia has just completed a period of transitional government and recently held elections. Though the elections were not elections without incident, they were elections nonetheless.

Ethiopia is moving on the path, and the right path, and I am proposing that we help ensure Ethiopia's continued growth by encouraging a greater attention to human rights by this new and fledgling government.

Are we trying to dictate foreign policy? No, we are not. What we are simply trying to do is to be a partner in this movement toward human rights progress. Is it not the right and the role of those of us who would argue and speak for human rights in this nation to be able to join in with our friends, yes, our friends, and encourage their progress?

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE. I yield to the gentleman from New York.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I just want to rise to join with the gentleman from Texas to praise the modification of her amendment, and I think that her proposal of monitoring what is going on in Ethiopia will be extremely helpful, and I thank the gentleman for working on this amendment so that it has language we can all agree upon.

Mr. Chairman, I join with the gentleman from Texas to praise the modification of her amendment.

Ethiopia represents an enormous humanitarian challenge. From 1984 to 1991, we spent over one billion dollars on disaster relief for Ethiopia. Famines in 1984 and 1990 killed thousands of Ethiopians. All of this occurred while Ethiopia was ruled by one of the most brutal communist dictatorships in the world.

Today, Ethiopia faces a structural food deficit. Millions of Ethiopians are dependent on the international community—particularly the United States—for food and basic services.

Fortunately, the current government in Ethiopia is actively assisting us in these humanitarian efforts. This is a vast improvement from previous regimes which actively opposed our relief efforts and used starvation as a weapon against its domestic opponents. Our assistance program in Ethiopia must be seen in this context.

The Government of Ethiopia does not measure up to our high standards of democracy, human rights and economic reform. The largest ethnic groups in Ethiopia have not been sufficiently included in the government, and the ruling party often uses coercion to manipulate the political process.

The concerns must be addressed, but I believe they are best addressed by a close relationship between the Government of Ethiopia, which has shown remarkable competence in other areas, and the United States, which provides the bulk of humanitarian assistance.

Mr. Chairman, I now support this amendment and commend the gentleman for the modification of the amendment.

Ms. JACKSON-LEE. I thank the gentleman so very much for your very kind words. Let me also pay tribute to you for the hard effort that has been made towards human rights throughout this entire world on behalf of those who believe in those issues.

If I might finish and conclude, Mr. Chairman, my remarks, I would hope, as we move in friendship with Ethiopia, affirming again the progress but looking toward more progress, we will see prospectively an integrated military, we will see future elections that will come voluntarily, free and open, all political viewpoints will be heard, as we know they are moving toward, and, yes, we would hope that political prisoners whatever their perspective, that they will come out in freedom but as well in support of an administration and regime that supports human rights.

□ 1300

As we move toward human rights, we hope the trade unions will be recognized, and its members should not be subjugated. We want the action commissions to be supported in their dissent and also the journalists.

Mr. Chairman, I do not propose to bring about overnight change for the people of Ethiopia. However, I wish to support the current process of democratization in Ethiopia and empower its citizens through free speech, recognition of human rights, and the diversification of the military. I urge my colleagues to join me in support of the people of Ethiopia and the continued growth of their nation.

Let me also thank my esteemed colleague, no longer with us, the honorable Congressman Mickey Leland, for his service to human rights and his commitment to human rights as his life exemplified through the time he served in Congress.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, two of the three remaining amendments, ironically, are amendments that impact a possible cut to aid in Ethiopia and to Kenya, two nations in Africa. I find that rather amusing, but let me compliment the gentlewoman from Texas.

I chastised this House a few minutes ago about Members of Congress becoming pseudo-Secretaries of State, and travelling all over the world, and coming back here and dictating policy to the administration. I explained my philosophy about the lessons that civics teaches us—that the executive branch has the authority and the responsibility for foreign policy, apart from appropriations.

The gentlewoman's amendment does not dictate to the administration. She has a legitimate concern that she has brought here, and she wants to make certain that the administration hears her message. In her amendment she states that the State Department should closely monitor and take into

account human rights progress in Ethiopia.

Mr. Chairman, that is what the Congress should do. We should give these types of messages when we have a concern, but, at the same time, not dictate policy, and recognize that the administration has to weigh all of the involvements of all the nations in the world in determining their policy.

So, I am not going to object to the amendment, Mr. Chairman, because she has corrected it with her modification.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I appreciate the gentleman's yielding, and I thank him so very much for both his cooperative spirit and the direction that I think speaks well of this entire body.

Mr. Chairman, if the gentleman would yield to me, I would appreciate having the opportunity to yield to the gentleman from Florida [Mr. JOHNSTON] on this matter for 2 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE] to do whatever she wants to do.

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE. I yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, I do appreciate the gentleman and the gentlewoman yielding this time to me.

Mr. Chairman, I have probably been the most severe critic of Ethiopia and, on the next one, Kenya, under human rights. Last year I visited both countries, spoke to President Moi at length of Kenya, spoke to President Meles at length in Ethiopia. Also, I met with President Meles here in Washington last year and tried to go over the items that I am sure the gentlewoman from Texas [Ms. JACKSON-LEE] has already enumerated.

I will say this though in Ethiopia: Everything being relative, if you check what happened in the Mengistu regime versus what has happened in the Meles regime, it is light years advancement there. No. 2 is Ethiopia has helped tremendously in our conflict in Sudan, and has intervened there, and has shown that they would like to come into the community of nations.

There is a task force that has met with the opposing parties in Ethiopia, in Washington here, in the early winter, in which the State Department, and the Carter Center, and myself, and Congressman HASTINGS met with these parties for 3 days, and I think we are about to arrive at a breakthrough there in which human rights will be observed better than it has been in the past, and I look forward. I appreciate the gentlewoman's understanding here in her ability to come to, I think, an excellent compromise with the State

Department, with AID, and with the other factions, and I strongly support the bill.

Mr. Chairman, again I congratulate the gentlewoman on the fine work she has done.

Mr. CALLAHAN. Mr. Chairman, I yield back the balance of my time.

Ms. JACKSON-LEE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentlewoman from Texas is recognized for 1 minute.

Ms. JACKSON-LEE. Mr. Chairman, I will not use all of that; simply I want to conclude by thanking all of those who have had the opportunity to work on this bill and to thank the gentleman from Florida [Mr. JOHNSTON] and his work in the task force and to affirmatively firm up the position that we take, and that is for human rights and for the support of Ethiopia moving and making progress in human rights.

The CHAIRMAN. The question is on the amendment, as modified, offered from the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment, as modified, was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 104-67.

AMENDMENT OFFERED BY MR. VOLKMER

Mr. VOLKMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. VOLKMER: At the end of the bill, add the following new section:

SEC. . . None of the funds appropriated in this Act may be made available to the Government of Kenya already known to be a country which denies its citizens the right to free and fair elections as identified in the Department of State Country Reports on Human Rights Practices. *Provided*, That this section may be waived if the President determines such waiver is in the United States national interest.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Missouri [Mr. VOLKMER] and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Chairman, I doubt very much if we will take the full 15 minutes on this side, but, as we look at the world in which we live, it is we in this country who enjoy the liberties of a democratic society, and under our Constitution, and we try to provide that same type of freedom throughout the world for other peoples and re-review what is going on in other parts of the world, in other countries, and we have some reservations about the democratization process that is evolving in those countries, and at the same time we are asking our taxpayers to provide funds to those countries even though the people, many of them, do not have the freedoms that we believe that they should enjoy.

One of the main reasons I say that I offer to develop this amendment on

Kenya, and we can do it on Indonesia and several others countries in the world, is that early on in debate on this bill we had an amendment up concerning a very small Caribbean nation of Haiti, and, as a result of that, we had a long discussion, about 6 hours, on the democratization process that is ongoing in this small nation, a few people, and it just started, and yet we can look around the world, as I have done, and I find that we have a process, been ongoing for a longer period of time, that is not near the part and the place where it is in Haiti, and yet no one on this committee, no one in this Congress, not one person, has offered to say, "Hey, we should cut off aid unless such and such is done."

So for that reason I decided that since, in my observation, we have severe human rights violations in Kenya, that I would offer the amendment that would stop the development assistance and the military aid to the country of Kenya because of the violations that are occurring and continue to occur. Even under the constitution of Kenya one would think otherwise.

They are, I will agree, in Kenya; they have some improvement in human rights, but I think they have a long way to go. We still have serious human rights problems persisting there. The government continues to intimidate and harass those opposed to the government party, the Kenya Africa National Union known as KANU. These actions included violations of civil liberties like freedom of speech, freedom of press, assembly, and association in an attempt to silence critics. Security forces continue to arrest and temporarily detain opposition parliamentarians and journalists. They also harassed voters in several by-elections and have broken up lawful public gatherings.

The arrest of 15 opposition members of parliament after they brought relief supplies to a displaced persons camp; the government characterized the trip as an unlicensed meeting in which they uttered words calculated to incite the public against the President, President Moi.

As my colleagues know, the League of Women Voters attempted to hold a seminar in Kenya, and approximately 100 armed police chased participants from the place by beating them with clubs. Freedom of assembly is provided in the constitution, but is seriously limited by the Public Order Act which prohibits unlicensed meetings of 10 or more persons without an approval from the district commissioner, and the government denied the right to assemble by not granting the permits.

As my colleagues know, the Kenya citizens theoretically have a right to change their government through free and fair elections if they have free and fair elections. But their ability to do so is yet to be demonstrated fully. Their presidential and parliamentary election in 1992 were marked by violence, intimidation, fraud, other irregular-

ities, but opposition candidates still won 63 percent of the vote. Diplomatic observers have viewed the 10 by-elections that have been held in 1994 as generally more free and fair despite some minor irregularities, however the government continued to harass and intimidate the political opposition.

The President, Moi, exercises sweeping powers over the local political structure as well as the National Assembly, and the KANU Party he heads controlled 118 out of the 200 National Assembly seats even though the opposition got 63 percent of the vote.

The President appoints both the powerful provincial and district commissioner, as well as a multitude of district and village officials. At the district and village level these political parties are responsible for security as well as disbursement of Federal development funds. At the national level a constitution authorized the President to dissolve the legislature and prohibits assembly debate on issues under consideration by the courts, and this very interesting:

This law, in conjunction with the Speaker of the Assembly's ruling that the subject of the President's conduct is inappropriate for parliamentary debate—reminds me a little bit of this place—has severely limited the scope of deliberation on many controversial political issues.

Members of the Parliament are entitled to introduce legislation, but in practice it is the attorney general who does so. As the head of the KANU, the President also influences the legislative agenda. He has also bolstered KANU's majority by acting on its constitutional authority by appointing 12 members of Parliament.

Three opposition parties, the Democrat Party, the FORD-K, and the FORD-A, hold the majority of the opposition's 82 seats. KANU used a variety of pressure tactics—and I would like for the gentleman to listen to this one—used a variety of pressure tactics to entice opposition, Members of Parliament, to defect to KANU, and by year's end six opposition Members of Parliament had done so. As a result, there were 10 by-elections including two forced by the death of two members of Parliament.

During the seven by-elections held in June, last year, there were credible reports that government and KANU officials bribed voters, purchased voters' cards, forcibly removed an election observer from a polling station. There was also violent incidents at public rallies prior to the June elections involving both opposition and KANU's reporters. Street skirmishes between supporters of contending parties also broke out on the day of two by-elections in October. A U.S. Embassy observer witnessed an assault in front of a polling station on a FORD-A candidate, who was later hospitalized. The assailant, who struck the candidate to the ground with repeated blows as armed police looked on, came to the

polling station in a convoy of vehicles escorting the KANU Secretary General.

I wonder what President Moi has to say about that following the announcement of October's election results in which two opposition candidates won parliamentary seats. Fights again erupted resulting in the death of at least six people.

Another round of by-elections were held in January 1995—were to be held following the high court's decision in November that nullified opposition majorities, victories, in two 1992 parliamentary elections.

□ 1315

It appears that in Kenya, if you do not win at the ballot box, then they control the supreme court and you will win there and get rid of the opposition that way. The court overturned the result of one election because the opposition winner had allegedly administered tribal oaths to supporters, although the decision was based on contradictory testimony given by witch doctors.

Although there are no legal restrictions on participation of women and minorities in politics, the role of women in the political process, nonetheless, remains circumscribed by traditional attitudes. In 1994 there were six female members of parliament, no female cabinet ministers, and one female assistant minister. Within the political opposition, women figure most significantly in the Democratic Party, where 25 percent of the party's national office holders are women.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama is recognized for 15 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

(Mr. EMERSON asked and was given permission to revise and extend his remarks.)

Mr. EMERSON. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding time to me.

Mr. Chairman, I rise to strongly urge my colleagues to vote against the Volkmer amendment. I want to address the issue raised in this amendment by speaking primarily from experiences I have personally gained through my involvement with our programs providing basic humanitarian assistance.

This amendment is counterproductive. In my judgment, it does not honor what has been a long-standing and supportive relationship between the governments of Kenya and the United States.

Speaking from personal experience, I recall having first met President Moi during a 1984 trip with the late Mickey Leland to address the famine relief operations in drought-stricken Ethiopia. Moi and his Government were entirely responsive to our requests that relief into Ethiopia be headquartered in Kenya. It was my experience then, as it

has been consistently since, that President Moi and his Government, for over a decade, have provided first-rate cooperation in meeting the requests of the humanitarian community, in including ours, as it mounts emergency relief operations within the Greater Horn of Africa.

As many of my colleagues concerned with humanitarian issues know, almost all national and multinational humanitarian relief organizations working in the region have retained their headquarters in Nairobi for many years. Kenya consistently has welcomed the humanitarian community and has afforded it the necessary political environment as well as dependable communication and logistical capabilities needed to do its work. Our operations providing emergency food and basic medical care in Somalia and to the refugees of Rwanda have all been headquartered in Nairobi.

Many of you are aware of Operation Lifeline Sudan through which the United Nations has airlifted food relief into southern Sudan to the victims of the decades-long Sudanese civil war. Begun in 1989, this life-sustaining operation could never have been possible, not to mention sustained, if Kenya had not consistently granted permission to the U.N. to base its operations within Kenya at a place called Lokichokio, just inside its border with Sudan. The border proximity of Lokichokio has made an airlift viable in terms of cost and flying conditions. With Kenya's unfaltering help, thousands of Sudanese lives have been saved.

Kenya has demonstrated its commitment to being a responsible member of the international community in other ways as well. For example, Kenya is the second largest contributor of peacekeeping troops in Africa, after Ghana. Kenya peacekeeping troops continue to assume significant roles in Iraq and Bosnia.

We must give full measure to the fact that Kenya has been a staunch supporter of the United States. For over a decade, with no questions asked, Kenya has always agreed to United States military requests to use Kenyan airports, roads, and port facilities. Specifically, during the Persian Gulf war, Kenya provided important logistical support to the United States military, and kept its critical facilities opened to support our military operations, with no questions asked.

This amendment aims to punish Kenya. Yet, to my mind, Kenya has been and continues to be one of the most valuable United States allies in Africa.

I am particularly concerned about the potential consequences of the Volkmer amendment because it comes at a time when we currently are renegotiating the access agreement. How irresponsible our Government would appear should we pass the Volkmer amendment while in the same breath request Kenya to continue to allow our military their free access to its ports, airports, and roads which it has enjoyed for more than a decade. It is incredibly irresponsible for such a proposal to even be put under floor consideration.

This amendment alleges that Kenya denies its citizens the right to free and fair elections. Yet, the facts show that Kenya is one of a handful of countries in Africa that kept a relatively open political system in an era where most countries opted for Marxism and Len-

inism. Since gaining independence in 1962, Kenya has held competitive elections six times, a record very few African countries can match.

In the recent 1992 general elections eight candidates competed for the presidency. President Moi won because the opposition was unable to unite behind one candidate and was deeply divided along ethnic lines. These opposition parties are now actively engaged in Kenya's parliament. And, I contend that our aim should be to encourage these opposition parties in their reform efforts rather than attempting to punish the entire country through a distorted review of an election which is by now 3 years old.

I say we should be supportive of such a strategic ally as Kenya has consistently been to us. Rather than punish her unfairly by threatening to cut this modest amount of \$18 million aid, I urge this body to properly evaluate our long-standing and significant relationship with Kenya. Far better that we do not vote to diminish our valuable relationship with Kenya by inaccurately inflicting a punishment or threatening the embarrassment of requiring a presidential waiver. Rather, our vote should be to clearly support an even more active relationship, promoting more direct involvement both politically and economically, between our two countries.

I strongly urge my colleagues to vote against the Volkmer amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. WILSON], the ranking member of the subcommittee.

Mr. WILSON. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, I would point out to all of my colleagues that the subcommittee has already cut assistance to Africa in general by 50 percent. That will, of course, affect Kenya. The gentleman's amendment relates human rights to the ability to receive funds in Kenya, and I submit that is a standard that could not be met by many other countries in Africa, and, indeed, many countries around the world.

I would add to what the gentleman from Missouri [Mr. EMERSON] said about Kenya being an important staging area for humanitarian relief into other countries in Africa, and certainly it has been an important staging area for our operations in Somalia, as well as other African countries. Mombasa is a very important logistics center for the United States.

We should continue to work with Kenya to improve its human rights record, but certainly this is an ill-advised amendment. We should not sever relations. We should certainly not have the funding cut off at this time.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], the chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I join with the gentleman from Alabama, Chairman CALLAHAN, in opposing this amendment.

Nevertheless, I am sympathetic to the concerns expressed by Mr. VOLKMER. The Government of Kenya's respect for human rights is, at best, erratic. Lately, the use of ethnic clashes—encouraging violence between different ethnic groups—has been a sad characteristic of the Moi regime. Under President Moi, the Government of Kenya has repressed political activities, the freedom of speech and other basic civil rights. This is the inevitable result of a government that does not have the support of a majority of the population.

But we must also look at the positive side of Kenya. For all of its faults, the Moi government held elections in 1992. But for the division of the opposition into competing parties, there would be a different government in Kenya today. In addition, Kenya has made a number of important and difficult economic reforms that we and other donor nations have encouraged.

Our assistance program reflects both the good and the bad in Kenya. Permit me to remind the gentleman from Missouri [Mr. VOLKMER] that in response to human rights abuses, we have reduced our assistance from \$34 million in 1990 to \$18 million next year. This level of assistance allows us to remain engaged in Kenya and to help bring reformist elements to the fore.

Mr. Chairman, the United States has had a strong bilateral relationship with Kenya for many years, including during the cold war. We have cooperated with Kenya on a number of issues, from military base rights to humanitarian relief efforts in the Horn of Africa. While Kenya's human rights record has deteriorated recently, I do not believe that we should disengage from Kenya at this time. Kenya has strongly supported our Navy's deployments to the Persian Gulf and for that I must oppose the Volkmer amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSON of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to compliment the gentleman from Alabama [Mr. CALLAHAN]. I went to him 2 weeks ago at the conclusion, when we buttoned down then, and told him what an incredible job I thought he and the ranking member were doing under a lot of strain here. The gentleman felt it ironic that two out of four amendments were cutting Africa. I felt it ironic that the Committee on Rules authorized only four amendments, half of which cut money from Africa.

I have visited Kenya, talked to Moi. The election in 1992 was not perfect, but it at least gave them a chance to vote there. In Nairobi I had an opportunity to meet all the factions in southern Sudan which were killing each other down there. It was set out by the Kenyan Government there.

I strongly oppose the amendment proposed here, for a lot a different reasons, but the government has started

auditing their banks and things of that nature. While I was there they closed down one of the newspapers. They allowed me to approach and talk to the attorney general of that country and complain.

The gentleman from Missouri, Mr. EMERSON, and the ranking member, the chairman of the committee, Mr. GILMAN, mentioned the fact of what we did in Somalia through Kenya. I visited a refugee camp in Mombasa, where there were 50,000 Somalians, and they were principally there at the behest and at the consent of the Kenyan Government.

The Development Fund for Africa does not spend that much money in this country, and there was already a cut to \$18 million from \$34 million. Finally, I would like to point out that only 6 percent of the money goes to the government. The rest of it goes to NGO's and PVO's. And I strongly recommend that we seriously consider our future in this country, the fact that it has helped us in the adjoining countries, and the fact they are making some progress, though small I would admit, but I think they are making some progress. To cut them off now I think would be counterproductive.

Mr. Chairman, I strongly oppose the amendment.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume. I also am opposed to the amendment.

Mr. Chairman, let me start off by saying that everyone in this Chamber and everyone in this Congress, if not everyone in this country, is concerned about human rights violations throughout the world. Some come before us and talk as if we are not concerned about that when they offer these amendments.

Let me assure you that we are all just as concerned as the gentleman from Missouri [Mr. VOLKMER] about the possibility of any human right violations anywhere. So this is not the issue. The issue is whether or not we are going to tell Kenya that we disagree with what they have been doing with respect to improving the position of human rights violations.

Mr. Chairman, let me say that the Department of State has contacted me as late as this morning and they say to me, "We object to the amendment that would prohibit aid to the Government of Kenya because it denies its citizens the right to free and fair elections. While we share Congress' concern about Kenya's human rights record, much of our assistance is directed to projects to improve Kenya's human rights performance, including its electoral practices. Passage of this amendment would undercut our efforts to build democratic institutions and promote good government. This amendment would also adversely affect our ability to use international military educational training funds to train the Kenyan military as a political force

that has not yet been implicated in any human rights violations there."

So let me just say there is going to come a time in the future when we need Kenya once again, when we are faced with a situation like in Rwanda or Somalia, and we are going to have to utilize the bases and help that Kenya provides to the United States and to other areas that are just as concerned about human rights violations as the gentleman.

Mr. Chairman, let me also say that this money, most of this money, that is not earmarked but that would be approved for Kenya, does not go to the Government of Kenya. It goes toward the humanitarian needs of the people of Kenya.

So while I appreciate where the gentleman is coming from with respect to his concerns of human rights, this is not the issue. I certainly take a back seat to the gentleman with respect to his knowledge of international affairs. I know that he is well informed and well read on that. I know of his personal concerns about Kenya. But I would respectfully submit once again that the gentleman go back to basic civics and understand that the people of this country elected President Clinton as President of these United States.

I did not vote for him, but he is my President, and the Constitution tells to the President, you select the Secretary of state that you think is the best person to run all of our international affairs, all of our foreign policy. He selected Mr. Christopher, and I think Mr. Christopher has done a tremendous job. I am a great admirer of his.

So I did not vote for the President, thus Mr. Christopher would not have been there if my candidate had won. But we have a responsibility to the President because he is the President of the United States, and the charge that the American people have given him includes an effective and humanitarian foreign policy. I think he is doing the best he can do, and I think to hamstring him further will be a tremendous mistake.

So I would respectfully request that we vote against this amendment, that we adhere to the request of the President and we adhere to the request of the Secretary of State, and recognize that we are also helping the people of Kenya.

Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I regrettably rise in strong opposition to the amendment offered by my good friend and colleague, the gentleman from Missouri [Mr. VOLKMER]. Simply put, this is an unhelpful amendment proffered at the wrong time. While I can understand the gentleman's motivations, I certainly cannot agree with the approach.

Yes, Kenya's human rights record is blemished. Yes, democratic principles

have not completely taken root there. And, yes, they have a long way to go before they achieve a full-fledged free market economy. Yes, we must continue to work to improve the situation there. However, by adopting this amendment, we will do serious damage to the important relationship between the United States and Kenya.

In the past few years we have seen unsteady progress in human rights, but in a telling sign, the press has remained sufficiently free, and that has been a consistently critical voice of dissent against the government. Whereas in years past we have overlooked Kenya's human rights violations, as we did similarly with other countries in order to keep their support during the cold war, we no longer tolerate these violations.

In fact, our assistance program has built in performance-based budgeting systems, and aid to Kenya has actually decreased over the past several years. Not only has development aid to Kenya dropped from \$34 million in 1990 to \$18 million today, but only 6 percent of this aid now goes through government channels.

There is no doubt that Kenya still has a long journey toward fulfilling democratic principles and we should continue to press for improvements in individual freedoms and human rights, but we must also keep in mind our overall relationship and Kenya's key role in the region as well as the loss of influence which will occur if we eliminate all government-to-government aid.

□ 1330

I stand prepared to work with the gentleman from Missouri [Mr. VOLKMER] in pressing for future and further reforms, but cutting off all aid to this government would eradicate the remaining lever we have preserved through a very small amount of aid, 6 percent of our DFA funding which is funneled through the government.

I urge our colleague to consider withdrawing this amendment. And in the absence of that, I urge its defeat.

Mr. CALLAHAN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. VOLKMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think that everybody should read the amendment because the opponents talks like we are cutting off all aid. The gentleman from Alabama, he is correct, I agree with him completely, that the President should run the foreign policy. I think we should have some input into that, but basically it is up to the administration to do so.

The amendment, the last phrase of the amendment says, "This section may be waived if the President determines such a waiver is in the United States national interest."

I do not see how you can make it anymore easy for him to say, no, we

are not going to do this. That is all he has to say. So it really does not really cut off anything, as long as the President says we need to do it. I think that is probably what the President would do.

Basically what this amendment is attempting to do, and I think the gentleman from New York and maybe the gentleman from Florida really caught it better than anybody else, I am just trying to tell President Moi, the people of Kenya, especially the Kanu party, that, hey, let democratization take place, that as we have shown in this country, you do not have to have one party rule for the rest of your life for a country to survive, for a country to persevere.

As long as the people of the country work within the constitution that provides for a process in which you have a government continuation, as we have in this country, they could have the same thing in Kenya and other places in the world, that you do not have to use physical force and violence perfected by the Government and controlled to stymie, to stifle opposition. That you should actually, for the good of the country, permit that opposition to speak, to be able to gather, to be able to discuss, to be able to vote, to elect whoever they want to elect. That is up to them to decide. That is the voters' choice and the voters should be supreme in any nation as they are in this Nation. That is basically what I am trying to send a message.

I know that the country of Kenya has done well, as far as facilitating the supplies that are necessary for humanitarian relief in that part of Africa. I want to commend them on that. I want to thank them for that. But I want to tell them also, hey, wake up. President Moi, you do not have to be president forever. You are not going to be forever. I will guarantee you, you will not be forever. Somebody else is going to be president. Why do you not make it so that when that transition does come about that there is not the big breakup within the country as we have seen in other countries where one person tries to be the strong man and control it all himself. I think that you should be able to say, hey, there is somebody else in this country that can do this job, too.

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, this is a friendly observation, and I thank the gentleman for yielding to me.

In the previous amendment on Ethiopia, I made a commitment to the gentlewoman from Texas [Ms. JACKSON-LEE] that I hoped to be in Ethiopia and in Kenya in 3 weeks and that I would hand deliver a letter jointly by her and me to president Meles. I would make the same commitment to the gentleman that he and I sit down and draft out a letter to President Moi, which I

will hand deliver to him, giving him my concerns but principally the gentleman's concerns.

Mr. VOLKMER. Mr. Chairman, I thank the gentleman very much. I will be glad to do it.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 104-167.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of New Jersey: Page 20, line 25, strike the semicolon and all that follows through "Code" on page 21, line 5.

Page 21, line 7, strike the final comma and all that follows through line 9 and insert the following:

: *Provided*, That none of the funds appropriated under this heading shall be available for salaries and expenses of personnel assigned to the bureau charged with carrying out the Migration and Refugee Assistance Act.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey [Mr. SMITH] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

This amendment is designed to achieve several simple but important goals. First, it erects a firewall to ensure that money in the refugee assistance budget will be used for protecting refugees, not for general operating expenses at the State Department, which are adequately funded elsewhere.

Second, it avoids a back-door \$12-million cut in the refugee assistance budget. We were very proud, in the Subcommittee on International Operations and Human Rights, to have been able to hold a few programs level with last year. One of those was child survival. And I am very pleased that the Subcommittee on Foreign Operations, Exporting Financing and Related Programs of the Committee on Appropriations has likewise looked to protect this important program. Another was refugee assistance. It was not easy, and I think we all know in these times of deficit reduction, holding anything harmless is very, very hard. But it was done.

Third, my amendment would avoid a corresponding \$12-million back-door increase in the general operating budget for the State Department for which, again, we have authorized adequate funds. There is no need for the State

Department to raid the refugee budget to pay its operating expenses. It already has \$2.1 billion in the two largest operating accounts alone.

Under current law, the PRM Bureau gets its salaries and expenses from these accounts just like every other bureau in the State Department. The State Department operating accounts have not taken the steep cuts that the operating budgets of USIA or AID and other agencies have taken.

Finally, the refugees really do need the money more than the bureaucrats.

Let me cite three examples. In the current fiscal year at the height of the Rwanda refugee crisis, UNHCR found it necessary to reduce food rations in the camps that were holding Rwandan refugees. This was because the World Food Program had run out of food. The UNHCR said it had no money to pay for the food program, in large part because the State Department said there was not enough money in the refugee account to make a contribution for this purpose.

Surely an extra \$12 million, perhaps even a smaller amount, would have made it unnecessary to cut those rations.

In Thailand, the State Department decided to shut down an English-language school for the Hmong refugees in order to save money. This will make it more difficult for these refugees to assimilate in the U.S., if they are resettled here. Shutting down the language school may also have had the effect of encouraging the Thai Government in its belief that the United States is not serious about accepting those people.

Finally, in the refugee centers in Croatia that hold victims of ethnic cleansing from Bosnia, the facilities are inadequate and the screening process is slow and it is erratic. Thousands of people have been in these centers for years. The United States claims it cannot find more than a handful of refugees who are eligible for resettlement. Refugee advocates point out that if you cannot find genuine refugees in Bosnia, we will never be able to find them anywhere else in the world. Many of these people can never go home. Their villages have been destroyed. Their families have been massacred. We have been unable or unwilling to commit the resources to do the job right.

Mr. Chairman, we all know we cannot solve all of the world's problems. There are over 40 million refugees and displaced persons in the world. We cannot accept more than a tiny number of them here in the United States, but we can at least keep our priorities right.

In this case, those priorities are so obvious that my amendment has been endorsed by human rights organizations as diverse as the U.S. Committee for Refugees, the Lutheran Immigration and Refugee Services, the U.S. Catholic Conference, the Council of Jewish Federations, the Christian Coalition and the Family Research Council.

The refugee budget has already absorbed real cuts this year, Mr. Chairman, both from inflation and from the dramatic decrease in the value of the dollar against European currencies. The money they are spending this year will buy 15 percent to 20 percent less overseas, less protection, less food, less water, fewer sanitary facilities than the same amount that we spent last year.

We could not afford to raise the refugee budget not even to keep our own spending power even with last year. My amendment, let me remind everyone, does not add a penny to the budget. It simply prohibits a back door transfer that would fund \$12 million of spending here in Washington, DC.

I hope Members will vote "yes" on this pro-refugee, pro-fiscal responsibility amendment.

Mr. Chairman, I include for the RECORD the following letter:

U.S. COMMITTEE FOR REFUGEES,
Washington, DC, June 21, 1995.

Hon. CHRIS SMITH,
Chairman, House International Relations Subcommittee on Foreign Operations, House of Representatives, Washington, DC.

DEAR MR. SMITH: This letter is to inform you and your colleagues of our strong support for your proposed floor amendment that would prohibit using the Migration and Refugee Assistance (MRA) account to pay for the State Department's general salaries and administrative expenses.

The Foreign Operations Appropriations bill, H.R. 1868, would, as currently written, use \$12 million of MRA funds to pay for salaries and expenses. This would be a damaging change from current law and would effectively result in a \$12 million reduction in direct assistance to refugees. Your amendment would wisely retain current law, which allows all MRA expenditures to go toward programs, and pays for salaries and expenses by drawing from the Diplomatic and Consular Programs account.

Your amendment would prevent a backdoor cut in U.S. assistance to the world's 16.2 million refugees. H.R. 1868 should be amended. We wholeheartedly endorse your amendment and urge other Members to give it bipartisan support on the House floor.

Sincerely,

ROGER P. WINTER,
Director.

Mr. Chairman, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. CALLAHAN] is recognized for 15 minutes.

Mr. CALLAHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, while I know what the gentleman from New Jersey wants to do, he wants to provide more money for the refugee assistance program, and we all do.

However, what he is saying in his amendment is that we do not want to provide out of the allocation of this appropriation bill any money to the program. Instead, he wants to transfer the administrative cost over to the State Department's jurisdiction, under the funding jurisdiction of the gentleman from Kentucky [Mr. ROGERS].

I am afraid that what the gentleman is doing is possibly just the opposite of what he intends to be doing with respect to the refugee funding program. The State Department may not be able to fund any of the \$12 million because the State Department will not have the money or the authorization to administer the program.

I know where the gentleman is coming from. I know what the gentleman wants to do. But I am afraid also when we get into this jurisdictional problem through floor amendments, it is going to cause problems in the future. I know that the gentleman from Kentucky [Mr. ROGERS] has some concerns about that. He is going to speak to it in just a few minutes.

So while we all would like to do what the gentleman from New Jersey wants to do, transferring the responsibility of administering the refugee program to another appropriations subcommittee is not the right thing to do.

Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding time to me.

I share the gentleman's sentiments. I know that we both agree with the gentleman from New Jersey [Mr. SMITH], the sponsor of the amendment, emotionally, in that we want to provide as much aid as we can. However, I think this amendment is counterproductive in that we have already cut the State Department personnel account furiously. As a matter of fact, the administration's request would have required a reduction of 350 people from the State Department's personnel accounts and the closing of 21 posts around the world. That was before we got hold of it.

Our markup of the State Department accounts reduced the President's request another \$40 million. And we are looking at double the proposed reductions. So if you want to administer this refugee and migration account, it ought to be done internally, because we just do not have the resources in the State Department to manage that kind of an operation. Neither do we have the authorization.

So I would hope that the gentleman would reconsider his amendment because, if it is successful, the only other place that the salaries and expenses to run this program could come from would be out of the State Department regular accounts; and we have already slashed them unmercifully and perhaps there is even more to come.

The amendment would transfer the costs of 90 employees from where they are now to the State Department to an account that is already requiring reductions of five times that number of people. The money is not there. It was not requested there. It was not appropriated there. And there is no room there for anything more.

So I would say to the gentleman from New Jersey, that if we want to ensure that there are enough people to run the

migration and refugee program, we ought to leave the funding right where it is, in the program account, under the jurisdiction of the subcommittee whose bill is before us today. Otherwise, there may be a well-funded program but nobody to run it.

So I support the chairman of the Foreign Operations Subcommittee, the gentleman from Alabama [Mr. CALLAHAN]. I commend him for looking out as well as he has for the refugee programs, and I would hope that we would reject this amendment.

Mr. CALLAHAN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member of the full committee.

□ 1345

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding time to me.

I would like to follow up and express my agreement with the comments just made by the gentleman from Kentucky. Let me simply say, Mr. Chairman, that I think everyone on this floor is concerned about decent treatment of refugees. Certainly everyone in the subcommittee has demonstrated that over a lifetime.

However, I do want to suggest that there is a certain aspect to this amendment that bothers me, because what it in essence is saying is, "Look, let us take in every possible refugee." But when it comes to actually paying for the administration of those programs, they expect somebody else to perform a magic loaves and fishes miracle in order to produce the resources to run those programs in an efficient way. In the real world, things do not work like that.

It just seems to me that whether we are asking the State Department to perform miracles with no resources, or whether in fact we are asking local communities who we have largely abandoned to take refugees without having the Federal Government meet its fair share of the cost for retraining and educating and resettling those refugees so that the full burden does not fall on local taxpayers, we have the same sort of unreality here.

Therefore, Mr. Chairman, I understand that the gentleman is going to accept the amendment. I understand why. However, that does not mean that this amendment does not have significant problems, both in equity and in practicality. I would say we are going to have to do a lot of work in conference to fix it up, because frankly, in its present form, I simply do not agree with it.

Mr. CALLAHAN. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding time to me.

Now that the chairman has resolved the issue of the Smith amendment, I thought I would take a moment to once again commend him for his leadership in bringing this bill to the floor, working with our ranking member, the

gentleman from Texas [Mr. WILSON]. It was, indeed, very encouraging to hear in the course of the debate on this bill, which was a long debate, an overnight debate on the strong commitment to human rights expressed in this House of Representatives.

I also want to point out to our colleagues, Mr. Chairman, as we move to vote on the bill in another couple of motions, that the United States, with all this talk about our foreign aid, the United States gives .2 percent of our GDP to overseas development assistance. We rank 21st of the donor countries, behind countries including Portugal and New Zealand.

Mr. Chairman, I think in some ways our country must examine our priorities. I think in certain ways we are abdicating our responsibilities to promoting freedom and raising the living standard of people throughout the world. However, I do say that while commending our chairman for doing the good job that he did with this legislation.

Mr. CALLAHAN. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman from New Jersey for yielding time to me.

Mr. Chairman, let me join with the gentleman from New Jersey [Mr. SMITH] in urging Members to vote for this particular amendment. What we are trying to do with this amendment is provide \$12 million that was already allocated for refugee and migration assistance and make sure it goes for that particular purpose, to fund program expenses, not to fund salaries and not to fund administrative costs out of monies that should be spent for programming.

The biggest problem we have sometimes in Congress is making sure that the money we allocate is spent the way it was meant to be spent as it came out of committee. What we would have here, with the way that the bill currently is drafted, is money going not for programs, when it is earmarked for programs, but to pay for salaries and expenses. It may even be spent on salaries and expenses for people who do not even work on refugee and migration assistance issues.

It is \$12 million. The State Department has over \$2.1 billion to pay for staff and administrative expenses already. This \$12 million would be taken from the program accounts for refugee assistance and would do great damage to a program that is already underfunded to try to help the refugees throughout this world.

There is no country that has been more generous when it comes to trying to help refugees in this entire world than the United States. We should not do it more harm by taking away \$12 million to pay for things that do nothing

to help the people that we are saying in the bill that we are going to try to do. The refugee assistance account needs the \$12 million that would be cut so we can provide the assistance.

We should not let a back door attempt to get money to pay for salaries and expenses be used to try to fund further State Department salaries. We should make sure that the monies go where they are supposed to go, program funding for programs, not for administrative salaries and expenses.

Mr. Chairman, I would urge the Members to consider the Smith amendment as one that just repeats what we have said we want to do, not an authorization bill for foreign assistance. What we should be saying in our appropriations bill, that when we allocate money, do what we say we are going to do. If Members say they are going to give money to refugees and migration assistance, give it to refugees and migration assistance, they should not do a back door end around and give it to administration and salaries instead and say that they are giving it to refugees.

I urge Members to support the Smith amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California for his very fine statement. I urge Members to support this amendment. I think it is very pro refugee. As the gentleman pointed out, there are over \$2 million in operating expenses for salaries for the State Department. We held seven hearings in my subcommittee. A portion of those hearings were looking at precisely that very point. There is room there, believe me, to fund the salaries and expenses of the PRN Bureau as there is using those proper spigots to fund the other bureaus and not take it away from the refugees, which again we tried to hold harmless.

I hope this amendment, if passed, will survive in conference, because again we are awash in refugees, and I think we need to recognize this is a modest effort we are making, and there is nothing above and beyond in preserving this \$12 million.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

Mr. MARKEY. Mr. Chairman, I rise today to express my support for development aid for Africa, and to register my concern over the deep cuts in development assistance to that continent that are being considered as part of current proposals to cut foreign aid. For example, H.R. 1561, the American Overseas Interests Act, cuts funding for the development fund for Africa [DFA] by over \$170 million from the \$802 million requested by the administration for this important program. As we continue to review our foreign assistance budget, DFA stands to lose even more of its funding. Curtailing assistance to Africa—aid that has saved lives, promoted democracy, and created hope—is a bad decision.

Since its inception, United States development aid to Africa has been a foreign policy success story. The DFA, funded at less than one-tenth of 1 percent of the U.S. budget, has helped bring about great change. Since the 1960's, infant mortality rates in Africa have fallen by one-half, average life expectancy has risen by 17 years, and more than 24 countries on the African continent have graduated from foreign aid dependents to U.S. trading partners.

Yet still more than half of Africa's population—54 percent—lives in abject poverty, and as high as that number is, it is projected to grow by 50 percent by the turn of the century if African development efforts are deserted. If we abandon this cost-effective and successful program, our conflict resolution efforts, microenterprise, agriculture, and health care projects will be undermined. Forsaking the sustainable development programs that have made such a difference in the lives of Africa's poor and hungry will open the gates for hopelessness and despair to come rushing right back in.

Assistance to Africa enjoys widespread support among Americans. Two-thirds of the American people believe that the United States has a moral responsibility to help indigent nations. Over 60 percent deem it in our economic interest to aid developing countries. And over 75 percent feel we have a responsibility to aid starving people regardless of whether other foreign policy objectives will be promoted in the process.

Now, one sentiment that my colleagues are well aware of is the public's view that our Nation spends too much money on foreign aid. In a public opinion poll conducted in January 1995, participants asked to estimate the share of the Federal budget devoted to foreign aid responded, on average, that 15 percent of the budget went overseas. When asked what they thought the percentage should be, the average answer was 5 percent, and when informed that foreign aid amounts to less than 1 percent of the budget, fewer than 20 percent still thought we were spending too much.

The reality is that less than one-tenth of 1 percent of the Federal budget is spent on foreign aid to Africa. The reality is that U.S. exports to developing countries have more than doubled in the past decade, and that every additional \$1 billion in exported goods creates an estimated 20,000 U.S. jobs. The reality is that the bulk of the money we budget for foreign aid is actually spent on goods and services in the United States. The reality is that assistance promoting self-help development and crisis prevention is cost-effective. And the reality is that a stronger Africa is in the long-term interests of America. I agree that we need to balance the budget. But balancing it on the backs of Africa's impoverished is clearly not the way to do it.

Mr. Chairman, we have a chance to help Africa become a self-sufficient, prosperous, democratic continent. We have the opportunity, we have the ability, and we have the moral obligation to do so. Let us rise and meet the call.

Mr. WALSH. Mr. Chairman, I rise today in strong support of the initiative the House has approved against expropriation in the Dominican Republic in the report accompanying H.R. 1868, the fiscal year 1996 foreign operations appropriations bill.

This initiative grew specifically from an egregious expropriation executed by the Dominican Republic's military in April 1994 against Western Energy, Inc. Western Energy is a United States company that was then operating an important liquid petroleum gas facility in the Dominican Republic, and operates a similar facility in my district.

The expropriation of Western Energy's property was clearly premeditated, and, I understand, in total disregard of specific Dominican contractual procedures for dispute resolution and without any opportunity for Western Energy to be heard or defend itself. The loss is very substantial for the company, but efforts to resolve the situation have thus far been unavailing.

Mr. Chairman, if the initiative the House has approved does not lead to a resolution of the expropriation Western Energy has suffered, then I urge my distinguished colleagues to support further steps to achieve that objective at the earliest opportunity. The United States must not tolerate expropriation of United States property in the Dominican Republic, and around the world.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in opposition to one more in an inevitable series of highly restrictive rules that have plagued this 104th Congress since its inception under the new Republican majority, the new rule governing debate on H.R. 1868, the Foreign Operations Appropriations for fiscal year 1996. I rise once again to accentuate what is increasingly evident to anyone watching the proceedings of this body over the last 6 months—accountability and democracy have once again become captive to the irrational, frenzied efforts of the Gingrich army to shove legislation through this House for no apparent reason.

Despite the fact that several Members on both sides of the aisle would like to have the opportunity to offer additional amendments to this disastrous piece of legislation, the new rule before us allows only four amendments, debateable for 20 minutes, and bars all others. The last I checked, Mr. Speaker, this was still the United States Congress, the outpost of free speech and open debate. Does the new majority want to turn it into Tiananmen Square? If they keep up these rules, they'll certainly continue to encounter vehement objections from myself and my Democratic colleagues.

I urge my colleagues to stand by the historically democratic processes of this institution and this Nation, vote against this rule, and work to end the outrageous tape over the mouth tactics of those on the other side of the aisle.

Mr. SMITH of Michigan. Mr. Chairman, I rise to address the issue of corporate welfare. As we eliminate the fat from the federal budget, we should recommit ourselves to making sure all projects and programs are closely examined—not just the politically easy ones.

The Export-Import Bank (Eximbank) subsidizes loans and loan guarantees to American exporters. These corporate welfare subsidies have been appropriated \$787 million for 1996.

The experts agree; Eximbank should be abolished.

The Congressional Budget Office makes the following observation:

Eximbank has lost \$8 billion on its operations, practically all in the last 15 years;

Little evidence exists that the bank's credit assistance creates jobs;

Providing subsidies to promote exports is contrary to the free-market policies the United States advocates.

The Congressional Research Service writes that:

Most economists doubt that a nation can improve its welfare over the long run by subsidizing exports;

At the national level, subsidized export financing merely shifts production among sectors within the economy, rather than adding to the overall level of economic activity;

Export financing subsidizes foreign consumption at the expense of the domestic economy;

Subsidizing financing will not raise permanently the level of employment in the economy. . . .

The Heritage Foundation recommends Congress "close down the Export-Import Bank."

Heritage further states:

Subsidized exports promote the business interests of certain American businesses at the expense of other Americans;

Little evidence exists to demonstrate that subsidized export promotion creates jobs—at least net of the jobs lost due to taxpayer financing and the diversion of U.S. resources into government-favored export activities at the expense of non-subsidized businesses.

According to Heritage, phasing out subsidies will save 2.3 billion over 5 years.

The Director of Regulatory studies at the Cato Institute calls the subsidy activity of Eximbank "corporate pork." He stated, "Even in the face of unfair international competition, the U.S. government doesn't have a right to use tax dollars to match equally stupid subsidies."

Eximbank's financial statements show that the bank has paid \$3.8 billion in claims from 1980 to 1994. These dollars paid off commercial banks who couldn't collect from foreign borrowers. American taxpayers took the hit.

Export financed by Eximbank actually hurt competitive U.S. exporters not selected for subsidies. The bank chooses winners and losers in the economy. The only winners are selected foreign consumers and selected U.S. corporations.

The Eximbank is a prime example of corporate welfare. The majority of Eximbank subsidies go to Fortune 500 companies that could easily afford financing from commercial banks:

Boeing—over \$2 billion worth of loan guarantees

McDonnell Douglas—\$647 million

Westinghouse Electric—\$491 million

General Electric—\$381 million

At&T—\$371 million

To raise funds for its lending and guarantee programs, Eximbank puts additional pressure on Treasury borrowing, driving up interest rates for private borrowers. That's all of us. From a corner barbershop wanting to expand to a young family trying to finance their first home. We all pay the price.

Sadly, there's more.

Eximbank appears to have wasted money on frivolous items as well. After 50 years with the same agency logo, Eximbank decided it needed a new one. Designing a new logo—including creation, copyright search, and the redesign of bank brochures and literature—cost nearly \$100,000 last year.

And in 1993, Eximbank spent \$30,000 to train 20 employees how to speak in public—including chairman Kenneth Brody. An outside consultant was paid \$3,000 a day for this task.

Mr. Chairman, I believe government shouldn't choose winners in the economy. With Eximbank, the big winners are foreign consumers, large corporations and professional speech coaches. The losers are American taxpayers.

Mr. Chairman, it's time to derail this gravy train.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. HANSEN, the Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 1868, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution No. 170, had directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the chairman will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the legislation?

Mr. OBEY. In its present form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill H.R. 1868 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

Insert at the end of the bill:

"Basic education for children

SEC. . Not more than \$108,000,000 under the Agency for International Development Children and Disease Programs Fund may be used for basic education for children."

Mr. OBEY. Mr. Speaker, this motion to recommit is really in essence a bipartisan motion. I understand it will be accepted by the committee. It simply clarifies that funds for basic education included under the children's fund may only be used for basic education programs for children. Other basic education programs for adults must be funded through other accounts. The motion has bipartisan support, and I would urge adoption of the recommittal motion.

Mr. CALLAHAN. Mr. Speaker, we agree with the gentleman.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was agreed to.

Mr. CALLAHAN. Mr. Speaker, pursuant to the instructions of the House, I report the bill, H.R. 1868, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

Insert at the end of the bill:

"Basic education for children

SEC. . Not more than \$108,000,000 under the Agency for International Development Children and Disease Programs Fund may be used for basic education for children."

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill. Pursuant to clause 7 of rule XV, the yeas and neas are ordered.

The vote was taken by electronic device, and there were—yeas 333, nays 89, not voting 12, as follows:

[Roll No. 482]

YEAS—333

Ackerman	Chrysler	Fowler
Allard	Clement	Fox
Andrews	Clinger	Franks (CT)
Archer	Clyburn	Franks (NJ)
Armey	Coble	Frelinghuysen
Bachus	Coleman	Frisa
Baesler	Collins (GA)	Funderburk
Baker (CA)	Collins (IL)	Furse
Baker (LA)	Collins (MI)	Galleghy
Baldacci	Costello	Ganske
Ballenger	Cox	Gejdenson
Barcia	Coyne	Gekas
Barr	Cramer	Gephardt
Barrett (WI)	Crane	Geren
Bartlett	Crapo	Gilchrist
Barton	Creameans	Gillmor
Bass	Cubin	Gilman
Bateman	Cunningham	Goodlatte
Bentsen	Davis	Gordon
Bereuter	Deal	Goss
Berman	DeLauro	Graham
Bevill	DeLay	Green
Bilbray	Deutsch	Gunderson
Billrakis	Diaz-Balart	Gutierrez
Bishop	Dickey	Gutknecht
Bliley	Dicks	Hall (OH)
Blute	Dixon	Hamilton
Boehlert	Doggett	Harman
Boehner	Dooley	Hastert
Bonilla	Dornan	Hastings (FL)
Bonior	Doyle	Hastings (WA)
Bono	Dreier	Hayworth
Borski	Dunn	Heineman
Boucher	Durbin	Hilleary
Brewster	Edwards	Hinchey
Browder	Ehlers	Hobson
Brown (FL)	Ehrlich	Hoekstra
Brownback	Emerson	Hoke
Bryant (TN)	Engel	Holden
Bunn	English	Horn
Burr	Ensign	Hostettler
Burton	Eshoo	Houghton
Buyer	Evans	Hoyer
Callahan	Ewing	Hunter
Calvert	Farr	Hutchinson
Camp	Fawell	Hyde
Canady	Fazio	Inglis
Cardin	Fields (TX)	Istook
Castle	Filner	Jackson-Lee
Chabot	Flake	Johnson (CT)
Chambliss	Flanagan	Johnson (SD)
Chapman	Foley	Johnson, E. B.
Christensen	Forbes	Johnson, Sam

Johnston	Miller (FL)	Sisisky
Kasich	Mineta	Skeen
Kelly	Molinari	Skelton
Kennedy (MA)	Moorhead	Slaughter
Kennedy (RI)	Moran	Smith (MI)
Kennelly	Morella	Smith (NJ)
Kildee	Myers	Smith (TX)
Kim	Myrick	Smith (WA)
King	Nadler	Solomon
Kingston	Neal	Souder
Klecicka	Nethercutt	Spence
Klink	Neumann	Spratt
Klug	Ney	Stenholm
Knollenberg	Norwood	Stockman
Kolbe	Nussle	Stokes
LaHood	Obey	Studds
Lantos	Ortiz	Stupak
Largent	Owens	Talent
Latham	Oxley	Tate
LaTourette	Packard	Taylor (NC)
Laughlin	Pallone	Tejeda
Lazio	Parker	Thomas
Leach	Paxon	Thornberry
Levin	Payne (VA)	Thurman
Lewis (CA)	Pelosi	Tiahrt
Lewis (GA)	Peterson (MN)	Torkildsen
Lewis (KY)	Petri	Torres
Lightfoot	Pickett	Torricelli
Linder	Pomeroy	Towns
Lipinski	Porter	Tucker
Livingston	Portman	Upton
LoBiondo	Poshard	Velazquez
Longley	Pryce	Visclosky
Lowe	Quinn	Vucanovich
Luther	Radanovich	Waldholtz
Maloney	Ramstad	Walker
Manton	Reed	Walsh
Manzullo	Regula	Wamp
Markey	Riggs	Ward
Martini	Rivers	Waters
Mascara	Ros-Lehtinen	Watts (OK)
Matsui	Rose	Waxman
McCarthy	Roukema	Weldon (FL)
McCollum	Roybal-Allard	Weldon (PA)
McCrery	Rush	Weller
McDade	Salmon	White
McHale	Sanford	Whitfield
McHugh	Sawyer	Wicker
McInnis	Saxton	Williams
McIntosh	Scarborough	Wilson
McKeon	Schiff	Wise
McNulty	Schumer	Wolf
Meehan	Scott	Woolsey
Meek	Seastrand	Wyden
Menendez	Serrano	Wynn
Metcalf	Shadegg	Young (AK)
Mfume	Shaw	Zeliff
Mica	Shays	Zimmer

NAYS—89

Abercrombie	Greenwood	Payne (NJ)
Barrett (NE)	Hall (TX)	Pombo
Becerra	Hancock	Quillen
Beilonson	Hansen	Rahall
Brown (CA)	Hayes	Roberts
Brown (OH)	Hefley	Roemer
Bryant (TX)	Hefner	Rogers
Bunning	Herger	Rohrabacher
Chenoweth	Hilliard	Roth
Clay	Jacobs	Royce
Clayton	Jones	Sabo
Coburn	Kanjorski	Sanders
Combest	Kaptur	Schaefer
Condit	LaFalce	Schroeder
Conyers	Lincoln	Sensenbrenner
Cooley	Lofgren	Shuster
Danner	Lucas	Stark
de la Garza	Martinez	Stearns
DeFazio	McDermott	Stump
Dellums	Meyers	Tanner
Dingell	Miller (CA)	Tauzin
Doolittle	Minge	Taylor (MS)
Duncan	Mink	Thompson
Everett	Mollohan	Thornton
Fattah	Montgomery	Trafigant
Fields (LA)	Murtha	Vento
Ford	Oberstar	Volkmer
Frank (MA)	Olver	Watt (NC)
Gonzalez	Orton	Young (FL)
Goodling	Pastor	

NOT VOTING—12

Foglietta	McKinney	Reynolds
Frost	Moakley	Richardson
Gibbons	Peterson (FL)	Skaggs
Jefferson	Rangel	Yates

□ 1418

The Clerk announced the following pairs:

On this vote:

Mr. Yates for, with Mr. Foglietta against. Ms. McKinney for, with Mr. Peterson of Florida against. Richardson for, with Mr. Jefferson against.

Mr. JONES, Mrs. CLAYTON, Mr. ROYCE, and Mr. HILLIARD changed their vote from "yea" to "nay."

Mr. WYNN, Mrs. MEEK of Florida, Ms. WATERS, Mr. TIAHRT, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REFERRAL OF H.R. 1784, VALIDATING CERTAIN CONVEYANCES MADE BY THE SOUTHERN PACIFIC TRANSPORTATION CO. TO THE COMMITTEE ON RESOURCES

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the bill, H.R. 1784, a bill to validate certain conveyances made by the Southern Pacific Transportation Co. within the cities of Reno, NV and Tulare, CA, and for other purposes, be referred to the Committee on Resources.

The SPEAKER pro tempore (Mr. DREIER). Is there objection to the request of the gentleman from Utah?

There was no objection.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN ENROLLMENT OF S. 523, COLORADO BASIN SALINITY CONTROL ACT AMENDMENTS

Mr. HANSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 82) directing the Secretary of the Senate to make technical corrections in the enrollment of S. 523.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 82

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 523) to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In the last sentence of paragraph (1) of section 1 of the bill (adding a new paragraph (6) to section 202(a) of the Colorado River Basin Salinity Control Act) insert a period after the words "submits such report".

(2) In paragraph (2)(B) of section 1 of the bill (amending section 205(a)(4)(i) of the Colorado River Basin Salinity Control Act)